

SENATE BILL No. 564

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-9-4.5.

Synopsis: Model standards for vacant structures. Requires the state department of health to adopt model maintenance and repair standards that a local governmental body may use in developing the local governmental body's maintenance and repair standards for purposes of the unsafe building laws. Provides that a local governmental body may adopt maintenance and repair standards that are more stringent than the model standards adopted by the state department of health.

Effective: July 1, 2009.

Breaux

January 20, 2009, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 564

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-7-9-4.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. (a) In Indiana,
3 especially in urban areas, there exist a large number of unoccupied
4 structures that are not maintained and that constitute a hazard to public
5 health, safety, and welfare.
6 (b) Vacant structures often become dilapidated because the
7 structures are not maintained and repaired by the owners or persons in
8 control of the structures.
9 (c) Vacant structures attract children, become harborage for vermin,
10 serve as temporary abodes for vagrants and criminals, and are likely to
11 be damaged by vandals or set ablaze by arsonists.
12 (d) Unkept grounds surrounding vacant structures invite dumping
13 of garbage, trash, and other debris.
14 (e) Many vacant structures are situated on narrow city lots and in
15 close proximity to neighboring structures, thereby increasing the risk
16 of conflagration and spread of insect and rodent infestation.
17 (f) Vacant, deteriorated structures contribute to blight, cause a

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1 decrease in property values, and discourage neighbors from making
2 improvements to properties.

3 (g) Structures that remain boarded up for an extended period of time
4 also exert a blighting influence and contribute to the decline of the
5 neighborhood by decreasing property values, discouraging persons
6 from moving into the neighborhood, and encouraging persons to move
7 out of the neighborhood.

8 (h) Vacant structures often continue to deteriorate to the point that
9 demolition of the structure is required, thereby decreasing available
10 housing in a community and further contributing to the decline of the
11 neighborhood.

12 (i) The blighting influence of vacant, deteriorated structures
13 adversely affects the tax revenues of local government.

14 (j) The general assembly finds that vacant, deteriorated structures
15 create a serious and substantial problem in urban areas and are public
16 nuisances.

17 (k) In recognition of the problems created in a community by vacant
18 structures, the general assembly finds that vigorous and disciplined
19 action should be taken to ensure the proper maintenance and repair of
20 vacant structures and encourages local governmental bodies to adopt
21 maintenance and repair standards appropriate for the community in
22 accordance with this chapter and other statutes.

23 **(l) The state department of health shall, before January 1, 2010,**
24 **adopt rules under IC 4-22-2 to specify model maintenance and**
25 **repair standards that a local governmental body may use in**
26 **developing the local governmental body's maintenance and repair**
27 **standards for purposes of this chapter.**

28 **(m) A local governmental body may adopt maintenance and**
29 **repair standards that are more stringent than the model**
30 **maintenance and repair standards included in the rules adopted by**
31 **the state department of health under subsection (l).**

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